

1-1 By: West S.B. No. 109
1-2 (In the Senate - Filed November 12, 2012; January 29, 2013,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; March 4, 2013, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;
1-6 March 4, 2013, sent to printer.)

1-7	COMMITTEE VOTE			
1-8		Yea	Nay	Absent
1-9	Hinojosa	X		PNV
1-10	Nichols	X		
1-11	Paxton	X		
1-12	Taylor	X		

1-13 COMMITTEE SUBSTITUTE FOR S.B. No. 109 By: Nichols

1-14 A BILL TO BE ENTITLED
1-15 AN ACT

1-16 relating to a housing plan developed and certain housing
1-17 information collected and reported by the Texas Department of
1-18 Housing and Community Affairs.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subsection (c), Section 2306.072, Government
1-21 Code, is amended to read as follows:

1-22 (c) The report must include:

1-23 (1) a complete operating and financial statement of
1-24 the department;

1-25 (2) a comprehensive statement of the activities of the
1-26 department during the preceding year to address the needs
1-27 identified in the state low income housing plan prepared as
1-28 required by Section 2306.0721, including:

1-29 (A) a statistical and narrative analysis of the
1-30 department's performance in addressing the housing needs of
1-31 individuals and families of low and very low income;

1-32 (B) the ethnic and racial composition of
1-33 individuals and families applying for and receiving assistance from
1-34 each housing-related program operated by the department; ~~and~~

1-35 (C) the department's progress in meeting the
1-36 goals established in the previous housing plan, including goals
1-37 established with respect to the populations described by Section
1-38 2306.0721(c)(1); and

1-39 (D) recommendations on how to improve the
1-40 coordination of department services to the populations described by
1-41 Section 2306.0721(c)(1);

1-42 (3) an explanation of the efforts made by the
1-43 department to ensure the participation of individuals of low income
1-44 and their community-based institutions in department programs that
1-45 affect them;

1-46 (4) a statement of the evidence that the department
1-47 has made an affirmative effort to ensure the involvement of
1-48 individuals of low income and their community-based institutions in
1-49 the allocation of funds and the planning process;

1-50 (5) a statistical analysis, delineated according to
1-51 each ethnic and racial group served by the department, that
1-52 indicates the progress made by the department in implementing the
1-53 state low income housing plan in each of the uniform state service
1-54 regions;

1-55 (6) an analysis, based on information provided by the
1-56 fair housing sponsor reports required under Section 2306.0724 and
1-57 other available data, of fair housing opportunities in each housing
1-58 development that receives financial assistance from the department
1-59 that includes the following information for each housing
1-60 development that contains 20 or more living units:

2-1 (A) the street address and municipality or county
2-2 in which the property is located;
2-3 (B) the telephone number of the property
2-4 management or leasing agent;
2-5 (C) the total number of units, reported by
2-6 bedroom size;
2-7 (D) the total number of units, reported by
2-8 bedroom size, designed for individuals who are physically
2-9 challenged or who have special needs and the number of these
2-10 individuals served annually;
2-11 (E) the rent for each type of rental unit,
2-12 reported by bedroom size;
2-13 (F) the race or ethnic makeup of each project;
2-14 (G) the number of units occupied by individuals
2-15 receiving government-supported housing assistance and the type of
2-16 assistance received;
2-17 (H) the number of units occupied by individuals
2-18 and families of extremely low income, very low income, low income,
2-19 moderate income, and other levels of income;
2-20 (I) a statement as to whether the department has
2-21 been notified of a violation of the fair housing law that has been
2-22 filed with the United States Department of Housing and Urban
2-23 Development, the Commission on Human Rights, or the United States
2-24 Department of Justice; and
2-25 (J) a statement as to whether the development has
2-26 any instances of material noncompliance with bond indentures or
2-27 deed restrictions discovered through the normal monitoring
2-28 activities and procedures that include meeting occupancy
2-29 requirements or rent restrictions imposed by deed restriction or
2-30 financing agreements;
2-31 (7) a report on the geographic distribution of low
2-32 income housing tax credits, the amount of unused low income housing
2-33 tax credits, and the amount of low income housing tax credits
2-34 received from the federal pool of unused funds from other states;
2-35 and
2-36 (8) a statistical analysis, based on information
2-37 provided by the fair housing sponsor reports required by Section
2-38 2306.0724 and other available data, of average rents reported by
2-39 county.

2-40 SECTION 2. Subsection (c), Section 2306.0721, Government
2-41 Code, is amended to read as follows:
2-42 (c) The plan must include:
2-43 (1) an estimate and analysis of the size and the
2-44 different housing needs of the following populations in each
2-45 uniform state service region:
2-46 (A) individuals and families of moderate, low,
2-47 very low, and extremely low income;
2-48 (B) individuals with special needs; ~~and~~
2-49 (C) homeless individuals;
2-50 (D) veterans;
2-51 (E) farmworkers;
2-52 (F) youth who are aging out of foster care; and
2-53 (G) elderly individuals;
2-54 (2) a proposal to use all available housing resources
2-55 to address the housing needs of the populations described by
2-56 Subdivision (1) by establishing funding levels for all
2-57 housing-related programs;
2-58 (3) an estimate of the number of federally assisted
2-59 housing units available for individuals and families of low and
2-60 very low income and individuals with special needs in each uniform
2-61 state service region;
2-62 (4) a description of state programs that govern the
2-63 use of all available housing resources;
2-64 (5) a resource allocation plan that targets all
2-65 available housing resources to individuals and families of low and
2-66 very low income and individuals with special needs in each uniform
2-67 state service region;
2-68 (6) a description of the department's efforts to
2-69 monitor and analyze the unused or underused federal resources of

other state agencies for housing-related services and services for homeless individuals and the department's recommendations to ensure the full use by the state of all available federal resources for those services in each uniform state service region;

(7) strategies to provide housing for individuals and families with special needs in each uniform state service region;

(8) a description of the department's efforts to encourage in each uniform state service region the construction of housing units that incorporate energy efficient construction and appliances;

(9) an estimate and analysis of the housing supply in each uniform state service region;

(10) an inventory of all publicly and, where possible, privately funded housing resources, including public housing authorities, housing finance corporations, community housing development organizations, and community action agencies;

(11) strategies for meeting rural housing needs;

(12) a biennial action plan for colonias that:

(A) addresses current policy goals for colonia programs, strategies to meet the policy goals, and the projected outcomes with respect to the policy goals; and

(B) includes information on the demand for contract-for-deed conversions, services from self-help centers, consumer education, and other colonia resident services in counties some part of which is within 150 miles of the international border of this state;

(13) a summary of public comments received at a hearing under this chapter or from another source that concern the demand for colonia resident services described by Subdivision (12);

(13-a) information regarding foreclosures of residential property in this state, including the number and geographic location of those foreclosures; and

(14) any other housing-related information that the state is required to include in the one-year action plan of the consolidated plan submitted annually to the United States Department of Housing and Urban Development.

SECTION 3. Section 51.0022, Property Code, is repealed.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

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